



JUL 14 2004

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7635146982 MEDTRONIC

NO. 1334 P. 4

ATTORNEY DOCKET: P-10926.00

PATENT

UNITED STATES PATENT APPLICATION  
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the Invention entitled: **SYSTEM AND METHOD FOR USING SENSORS TO IDENTIFY AN ANATOMICAL POSITION**

The specification of which

is attached hereto  
 was filed on February 18, 2004 under application serial no. 10/781,111, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a),

including for continuation-in-part applications, material information which became available between the filing date of the prior application Serial No. , filed , and the national or PCT international filing date of the continuation-in-part application.<sup>1</sup>  
(For CIP applications)

I hereby claim foreign priority benefits under Title 35, United States Code, §119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

no such applications have been filed.  
 such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC 5119

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)

COUNTRY	APPLICATION NUMBER	DATE OF FILING	DATE OF ISSUE

I hereby claim the benefit under Title 35, United States Code, §120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING	STATUS (patented, pending, abandoned)

<sup>1</sup> § 1.56 Duty of disclosure; fraud, striking or rejection of applications.

(a) A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantially involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the patentability of the application. Such information is material where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.



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By appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

John W. Albrecht	Reg. No. 40,481	Kenneth J. Collier	Reg. No. 34,982
Stephen W. Bauer	Reg. No. 32,192	Daniel W. Latham	Reg. No. 30,401
Elisabeth L. Belden	Reg. No. 50,751	Paul H. McDowall	Reg. No. 34,873
Thomas G. Berry	Reg. No. 31,736	Michael C. Soldner	Reg. No. 41,455
Keith R. Campbell	Reg. No. 46,597	Girma Wolde-Michael	Reg. No. 36,724
Daniel G. Chapik	Reg. No. 43,424	Thomas F. Woods	Reg. No. 36,726

Please direct all correspondence in this case to: Daniel G. Chapik, Customer No. 27581.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name of Inventor <b>ROGIER</b>	FIRST NAME <b>ROGIER</b>	MIDDLE INITIAL	LAST NAME <b>RECEVEUR</b>
0	Residence & Citizenship <b>MAASTRICHT</b>	CITY <b>MAASTRICHT</b>	STATE OR FOREIGN COUNTRY <b>THE NETHERLANDS</b>	COUNTRY of CITIZENSHIP <b>NL</b>
1	Post Office Address <b>VLIJTINGERBANK 6</b>	POST OFFICE ADDRESS <b>VLIJTINGERBANK 6</b>	CITY <b>MAASTRICHT</b>	STATE/ZIP/COUNTRY <b>6213 KB/THE NETHERLANDS</b>
SIGNATURE OF INVENTOR 201: <i>Rogier Receveur</i>				DATE: <i>July 7 2004</i>

2	Full Name of Inventor <b>VINCENT</b>	FIRST NAME <b>VINCENT</b>	MIDDLE INITIAL	LAST NAME <b>LARIK</b>
0	Residence & Citizenship <b>KERKRADE</b>	CITY <b>KERKRADE</b>	STATE OR FOREIGN COUNTRY <b>THE NETHERLANDS</b>	COUNTRY of CITIZENSHIP <b>NL</b>
2	Post Office Address <b>KAALHEIDERSTEENWEG 209</b>	POST OFFICE ADDRESS <b>KAALHEIDERSTEENWEG 209</b>	CITY <b>KERKRADE</b>	STATE/ZIP/COUNTRY <b>6466 AE/THE NETHERLANDS</b>
SIGNATURE OF INVENTOR 202: <i>Vincent Larijk</i>				DATE: <i>7 July 2004</i>

2	Full Name of Inventor <b>RON</b>	FIRST NAME <b>RON</b>	MIDDLE INITIAL	LAST NAME <b>VAN DER KRUUK</b>
0	Residence & Citizenship <b>BUNDE</b>	CITY <b>BUNDE</b>	STATE OR FOREIGN COUNTRY <b>THE NETHERLANDS</b>	COUNTRY of CITIZENSHIP <b>NL</b>
3	Post Office Address <b>T KEMPKE 45</b>	POST OFFICE ADDRESS <b>T KEMPKE 45</b>	CITY <b>BUNDE</b>	STATE/ZIP/COUNTRY <b>6241 CX/THE NETHERLANDS</b>
SIGNATURE OF INVENTOR 203: <i>Ron van der Kruuk</i>				DATE: <i>8 July 2004</i>

DECLARATION AND POWER OF ATTORNEY  
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2 0 4	Full Name of Inventor	FIRST NAME VICTOR	MIDDLE INITIAL	LAST NAME DUYSENS
	Residence & Citizenship	CITY GREVENBICHT	STATE OR FOREIGN COUNTRY THE NETHERLANDS	COUNTRY of CITIZENSHIP NL
	Post Office Address	POST OFFICE ADDRESS NIEUWSTRAAT 43	CITY GREVENBICHT	STATE/ZIP/COUNTRY 8127 BATHE NETHERLANDS
SIGNATURE OF INVENTOR 204:			DATE: <i>7 Jul 2004</i>	

2 0 5	Full Name of Inventor	FIRST NAME RICHARD	MIDDLE INITIAL P.M.	LAST NAME HOUBEN
	Residence & Citizenship	CITY LANAKEN	STATE OR FOREIGN COUNTRY BELGIUM	COUNTRY of CITIZENSHIP
	Post Office Address	POST OFFICE ADDRESS HENRI DUNANSTRAAT 112	CITY LANAKEN	STATE/ZIP/COUNTRY B-3620/BELGIUM
SIGNATURE OF INVENTOR 205:			DATE: <i>July 7, 2004</i>	

2 0 6	Full Name of Inventor	FIRST NAME NICOLAAS	MIDDLE INITIAL M.	LAST NAME LOKHoff
	Residence & Citizenship	CITY KERKRADE	STATE OR FOREIGN COUNTRY THE NETHERLANDS	COUNTRY of CITIZENSHIP NL
	Post Office Address	POST OFFICE ADDRESS BOSBERG 8	CITY KERKRADE	STATE/ZIP/COUNTRY 6464 HE/THE NETHERLANDS
SIGNATURE OF INVENTOR 206:			DATE: <i>07 July 2004</i>	

2 0 7	Full Name of Inventor	FIRST NAME JOHN	MIDDLE INITIAL C.M.J.	LAST NAME PERON
	Residence & Citizenship	CITY SITTARD	STATE OR FOREIGN COUNTRY THE NETHERLANDS	COUNTRY of CITIZENSHIP NL
	Post Office Address	POST OFFICE ADDRESS P. BREUGHELSTRAAT 43	CITY SITTARD	STATE/ZIP/COUNTRY 6137 V W/THE NETHERLANDS
SIGNATURE OF INVENTOR 207:			DATE: <i>July 7. 2004</i>	

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